

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

HORACE ALEXANDER,
TDCJ 1486540,

Plaintiff,

versus

NATHANIEL QUARTERMAN, ET AL.,

Defendants.

§
§
§
§
§
§
§
§

CIVIL ACTION H-09-1860


Opinion on Dismissal

Horace Alexander sues for civil rights violations. He is in a Texas prison. Alexander has not paid the filing fee nor moved to proceed as a pauper. He has sued about 60 other times in district court. The district court dismissed six of these lawsuits as frivolous or for failure to state a claim recognized at law. *Alexander v. 19th Judicial District*, No. 3:03cv794 (M.D. La.); *Alexander v. Biaimonte*, 3:00cv915 (M.D. La.); *Alexander v. Troyer*, 2:95cv1126 (E.D. La.); *Alexander v. Delabertoe, et al.*, 2:92cv1777 (E.D. La.); *Alexander v. Gasaway*, 2:02cv3253 (E.D. La.); *Alexander v. Tangipohoa Parish Jail*, 2:91cv2254 (E.D. La.). The Court of Appeals dismissed as frivolous the appeal in *Alexander v. Troyer*. When Alexander sued in five of these cases, he was held in prison or jail. The district court dismissed these other cases before Alexander filed this case.

A prisoner may not bring a case in federal court as a pauper if, while incarcerated, he brought three actions which the court dismissed as frivolous or for failure to state a claim, unless he is under imminent danger of serious physical injury. 28 U.S.C. § 1915(g). Alexander's allegations do not show that he is under imminent danger of serious physical injury.

This complaint is dismissed. 28 U.S.C. § 1915(g).

Signed July 10, 2009, at Houston, Texas.



Lynn N. Hughes
United States District Judge